

BILL NO. Z-72-05-19

ZONING MAP ORDINANCE NO. Z-

Defeated

AN ORDINANCE amending the City of Fort
Wayne Zoning Map No. AA15.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,
INDIANA:

SECTION 1. That the area described as follows is hereby designated an M1 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. AA15 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Lots #1, 2, 3, 4, & 5, Block #2, Housers
Sub. Sec. 23 and Lots #26, 27, 28, 29, & 30,
Block #2, Housers Sub. Sec. 23 as recorded in
Plat Book 9, pages 66-67.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

Eugene Kraus
Councilman

APPROVED AS TO FORM
AND LEGALITY

Ed B. To
CITY ATTORNEY

Read the first time in full and on motion by Kraus, seconded by Hinga and duly adopted, read the second time by title and referred to the Committee on Regulations (and to the City Plan Commission for recommendation) (and ~~Public Hearing to be held after due legal notice, at the Council Chambers, City County Building, Fort Wayne, Indiana, on~~ the _____ day of _____, 19____, at _____ o'clock P.M., E.S.T.

Date: 5-23-72 Charles W. Talarico
CITY CLERK

Read the third time in full and on motion by Nuckols seconded by Talarico and duly adopted, placed on its passage.
~~Passed~~ (LOST) by the following vote:

AYES	NAYS	ABSTAINED	ABSENT	to-wit:
Burns	<input checked="" type="checkbox"/>			
Hinga	<input checked="" type="checkbox"/>			
Kraus	<input checked="" type="checkbox"/>			
Nuckols	<input checked="" type="checkbox"/>			
Moses	<input checked="" type="checkbox"/>			
Schmidt, D.	<input checked="" type="checkbox"/>			
Schmidt, V.	<input checked="" type="checkbox"/>			
Stier	<input checked="" type="checkbox"/>			
Talarico	<input checked="" type="checkbox"/>			

Date 4-10-73 Charles W. Talarico
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) _____ on the _____ day of _____, 19____.

ATTEST: (SEAL)
Charles W. Talarico
CITY CLERK
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the _____ day of _____, 19____-at the hour of _____ o'clock _____ M., E.S.T.

Approved and signed by me this _____ day of _____, 19____ at the hour of _____ o'clock _____ m., E.S.T.

MAYOR

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on May 23, 1972, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-72-05-19; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on July 17, 1972, and as such returned proposed ordinance to the Common Council on December 19, 1972, with a recommendation of DO NOT PASS.

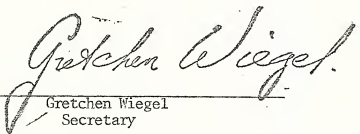
WHEREAS, on February 7, 1973, proposed ordinance was returned by the City Clerk with instructions by the Common Council and the Regulations Standing Committee to return Bill No. Z-72-05-19, to the City Plan Commission for further restudy and reconsideration.

NOW THEREFORE, BE IT FURTHER RESOLVED that the City Plan Commission, following further study and reconsideration, does hereby recommend that such proposed ordinance be returned to the Common Council with NO FURTHER RECOMMENDATION.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held February 26, 1973.

Certified and signed this
26th day of March, 1973.



Gretchen Wiegel
Secretary

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on May 23, 1972, referred a proposed zoning map amendment to the City Plan Commission, which proposed ordinance was designated as Bill No. Z-72-05-19; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

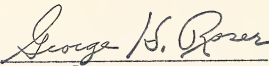
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on July 17, 1972;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the City, and the amendment will be detrimental to and conflicts with the over all city plan; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held December 18, 1972.

Certified and Signed this
19th day of December, 1972.



George H. Roser
Secretary

*Send back
City Planning
Re Commission*

Held

Held

Bill No. Z-72-05-19

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance
amending the City of Fort Wayne Zoning Map No. AA-15

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance *do not* PASS.

- John Nuckols - Chairman
- Vivian G. Schmidt - Vice-Chairman
- William T. Hinga
- Paul M. Burns
- Donald J. Schmidt

John Nuckols
Vivian G. Schmidt
William T. Hinga
Paul M. Burns

DATE 4-10-73 CONCURRED IN
CHARLES W. WESTERMAN, CITY CLERK

Bill No. Z-72-05-19

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Eugene Kraus, Jr., Chairman

James S. Stier, Vice-Chairman

William T. Hinga

Paul M. Burns

Vivian G. Schmidt

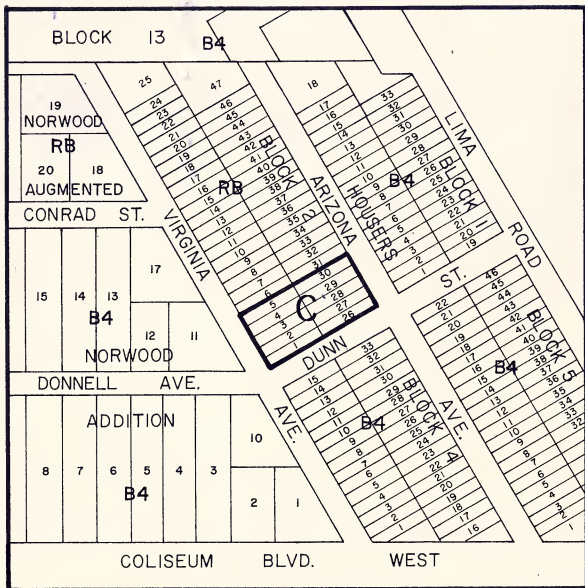
RECEIPT

No 137

GENERAL FUND

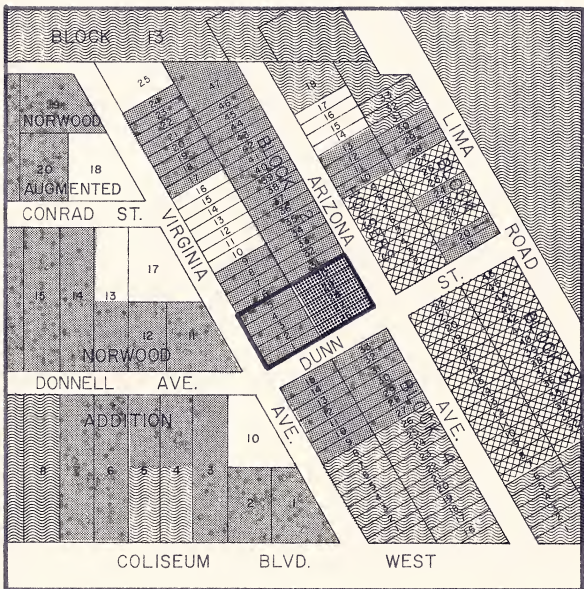
FT. WAYNE, IND., May 11 19 72RECEIVED FROM Theodore E. + Sylvia Pely \$ 50.00THE SUM OF Fifty and 00/100 100 DOLLARSON ACCOUNT OF Rezone Houses Sub. Sec. 23Lots 1, 2, 3, 4, 5, 26, 27, 28, 29, 30Barb Steele

AUTHORIZED SIGNATURE








'C' CHANGE FROM RB to MI

Z-72-05-19

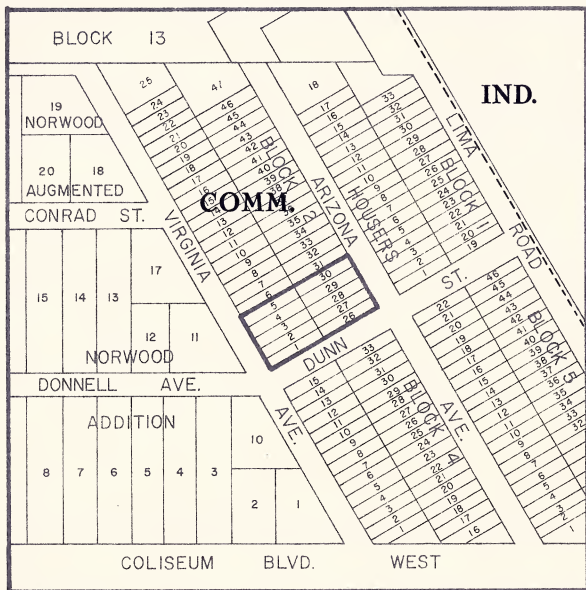


EXISTING LAND USE MAP

-  - VACANT LAND
-  - LOW DENSITY RESIDENTIAL
-  - HIGH DENSITY RESIDENTIAL
-  - COMMERCIAL
-  - LIGHT INDUSTRY



2-72-05-19



PROPOSED LAND USE MAP

----- LAND USE AREA

COMM. - COMMERCIAL

IND. - INDUSTRIAL

Z-72-05-19

PETITION FOR ZONING ORDINANCE AMENDMENT

Receipt No. _____

TO: COMMON COUNCIL OF THE

Date Filed _____

CITY OF FORT WAYNE, INDIANA

Intended Use _____

I/We Theodore E. and Sylvia M. Pelz

(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne, Indiana, by reclassifying from a/an RB District to a/an M1 District the property described as follows:

Lots # 1, 2, 3, 4, & 5, Block # 2, Housers Sub. Sec. 23

Lots # 26, 27, 28, 29, & 30, Block # 2, Housers Sub. Sec. 23

As recorded in Plat Book 9, Pages 66-67

(Legal Description)

For the rezoning of area bounded on the west by Virginia Avenue, bounded on the south by Dunn Street, bounded on the east by Arizona Avenue, and bounded on the north by the north line of Lot #5 & Lot #30 of Houser's Sub, Block 2.

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

Theodore E. Pelz

722 Dunn Street

Theodore E. Pelz

Sylvia M. Pelz

722 Dunn Street:

Sylvia M. Pelz

(Name)

(Address)

(Signature)

Legal Description Checked By: Russ Embury

(City Engineer)

May 15, 1972
Ren Brown

NOTE FOLLOWING RULES:

All requests for continuances or requests that ordinances be taken under advisement shall be filed in writing in the Office of the City Plan Commission by noon on the Wednesday preceding the meeting of the City Plan Commission at which the ordinance is to be considered. If the request for a continuance or advisement is filed within the required time, the matter will not be put on the agenda for that meeting. It shall be the obligation of the petitioner to notify the same property owners which the Plan Commission had notified by mail that the hearing has been postponed or rescheduled and inform them of the time and place of the meeting at which the ordinance will be considered. All withdrawals of ordinances must be made in writing prior to the Plan Commission's vote on the ordinance.

Name and address of preparer, attorney or agent:

(Name)

(Address)

740-1463
(Telephone Number)

City Plan Commission, City-County Building, Room 800, One Main Street, Fort Wayne, Indiana 46802 Telephone Number 423-7571

CITY PLAN COMMISSION
City-County Building
One Main Street
Fort Wayne, Indiana

Mr. Ralph Blume
344 Utility Building
Fort Wayne, Indiana 46802

Dear Ralph:

The forwarding of this petition to rezone was delayed because of the existing requirement for a thorough check of the description by the City Engineering Department.

We received this petition on May 11, 1972.

It would be appreciated if this petition could be assigned a Bill Number in the order that the request came to us.

Sincerely,

CITY PLAN COMMISSION

Marshall Snyder
Marshall Snyder
Draftsman

MS:mo

STATE OF INDIANA)
)
COUNTY OF ALLEN)

SS:

BEFORE THE COMMON COUNCIL OF THE
CITY OF FORT WAYNE

ZONING BILL: Z-72-05-19

RE: REZONING OF LOTS NUMBERED 1, 2, 3, 4 and 5
in Block Number 2, Houser's Subdivision,
Section 23 and Lots Numbered 26, 27, 28, 29
and 30 of Block Number 2 Houser's Subdivision,
Section 23 as recorded in Plat Book 9, pages
66 and 67 in the Office of the Recorder of
Allen County, Indiana

R E M O N S T R A N C E

Comes now the following land owners and object to the rezoning
of the lots in the caption hereof from an RB zoning district to M1
zoning district for the following reasons:

1. To rezone said real estate to an M1 zoning district, would
permit said real estate to be used for purposes that would not have
reasonable regard for the existing conditions in the neighborhood.

2. That to permit said rezoning would not be the most
desirable use for the said real estate.

3. Such ordinance is not in the best interests of the
general welfare of the neighborhood or the local community.

4. That such proposed ordinance would impair the value and
usefulness of the surrounding property.

5. Should the petitioners desire to continue the use to which
they have been making of the real estate, a storage facility, then
it would not be necessary to rezone the real estate from RB to M1
for the reason that Section 5 (B) of the zoning ordinance would allow
them to continue their use of the real estate without rezoning.

WHEREFORE, the undersigned, whose signatures are attached hereto,
respectfully request that said proposed ordinance for rezoning does
not pass.

<u>Bessie Bacon</u>	<u>4687 Virginia Ave</u>	<u>Lot No.</u>
Name	Address	
<u>James P. Swickart</u>	<u>4641 Virginia Ave</u>	<u>Lot No.</u>
Name	Address	
<u>Elizabeth J. Swickart</u>	<u>"</u>	<u>Lot No.</u>
Name	Address	
<u>Gilbert L. Carpenter</u>	<u>4615 Arizona Ave</u>	<u>31, 32, 33</u>
Name	Address	Lot No.
<u>Nazel M. Carpenter</u>	<u>4615 Arizona Ave</u>	<u>31, 32, 33</u>
Name	Address	Lot No.
<u>Bertinda Burcat</u>	<u>4633 Virginia Ave</u>	<u>42, 43, 44, 45</u>
Name	Address	Lot No.

Mrs E. J. Beret	4637 Arizona	44845
Name	Address	Lot No.
Mrs E Beret	4637 Arizona	44845
Name	Address	Lot No.
Mrs R. H. Dorman	4622 Virginia	22-23-24
Name	Address	Lot No.
Pauline F Dorman	4622 Virginia Ave	22-23-24
Name	Address	Lot No.
Ruth Powell	4621 Arizona Ave	10-11 34-35-36
Name	Address	Lot No.
Helen M Nord	4522 Virginia Ave	6-7-8-9
Name	Address	Lot No.
Mrs O. J. Boyer	4625 Arizona Ave	37-38-12-13
Name	Address	Lot No.
Orrville L. Boye	4625 Arizona	37-38-12-13
Name	Address	Lot No.
Wicki V. Adams	4541 Lina Road	18-24-5-6-7- 19-20-21-22-23 24-25 Lot No.
Name	Address	Lot No.
Stanley M. Adams	4541 Lina Road	"
Norman F. Burkhalter	707 Duane St.	

City Clerk Memorandum

CHARLES W. WESTERMAN, Clerk

To John Logan, Council Attorney Date January 18, 1973
From Charles W. Westerman, City Clerk
Subject Preparation for Zoning Board

COPIES TO:

January 16, 1973

Common Council in Committee Session
Conference Room - 124
City-County Building

So ordered by the Regulations Committee and through its Chairman John Nuckols, as requested to the Clerk of the City of Fort Wayne and Common Council, to request the Fort Wayne Zoning Board to recommend a rezoning plan for the area encompassed by Virginia Avenue to the South, Coliseum Blvd. to the east, Lima Road to the west and Block 13 as so indicated on

Bill No. Z-72-05-19

and

Bill No. Z-72-05-22

City Clerk Memorandum

CHARLES W. WESTERMAN, Clerk

To City Plan Commission Date February 7, 1973

From Charles W. Westerman, City Clerk

Subject Zoning Map Ordinances No. Z-72-05-19 and Z-72-05-22

COPIES TO:

I have been instructed by the Common Council and the Regulations Standing Committee to return Bills No. Z-72-05-19 and Z-72-05-22 to the City Plan Commission for further restudy and reconsideration.

They are interested in the plan use of the area surrounding the area in question.

Respectively,



Charles W. Westerman
City Clerk

ORDINANCE CHECK-OFF SHEET

INFORMATION REGARDING ORDINANCE

CONTENTS OF ORDINANCE

BILL NO.	2-72-05-19
ORDINANCE NO.	
REGULAR SESSION	
SPECIAL SESSION	
APPROVED AS TO FORM AND LEGALITY	Keller
BILL WRITTEN BY	
DATE INTRODUCED	5-23-72
REFERRED TO SAID STANDING COMMITTEE	Regulation
REFERRED TO CITY PLAN	5-23-72
LEGAL PUBLIC HEARING	
LEGAL PUBLICATION	
JOINT HEARING	
DEPARTMENT HEARING	
HOLD FILE	
PASS	
DO NOT PASS	4-10-73
WITHDRAWN	
SUSPENSION OF RULES	
PRIOR APPROVAL	
ORDINANCE TAKEN OUT OF OFFICE	
OTHER INSTRUCTIONS REGARDING ORDINANCE	
CORRECTIONS MADE TO ORDINANCE	
PEOPLE SPEAKING FOR ORDINANCE	
PEOPLE SPEAKING AGAINST ORDINANCE	

✓	COMMITTEE SHEET
✓	VOTE SHEET
	PURCHASE ORDERS
	BIDS
	ORDERS, BIDS OR OTHER PAPERS TAKEN OUT AND BY WHOM
	LETTER REQUESTING ORDINANCE DRAWN UP BY CITY ATTORNEY
	COMMUNICATIONS FROM City Clerk & Logan - zoning Ord. amendments.
✓	ZONING MAPS Receipt
	Remonstrances
	ABSTRACTS Petition for zoning Ord. amendment.
	TITLES
	PRIOR APPROVAL LETTER

COUNCILMAN'S VOTE

	AYES	NAYS	ABSENT
BURNS		X	
HINGA		X	
KRAUS		X	
MOSES		X	
NUCKOLS		X	
D. SCHMIDT	X		
V. SCHMIDT		X	
STIER		X	
TALARICO		X	

COMMENTS:

Hold File